

Message Text

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ACTION EUR-12

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CIAE-00 PM-04 INR-07 L-03 ACDA-10 NSAE-00 PA-02 SS-15

PRS-01 SP-02 TRSE-00 SAJ-01 DODE-00 H-02 NSC-05 IO-10

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TAGS: AORG, AFIN, NATO, OECD

SUBJ: COORDINATED ORGANIZATIONS - PENSION SCHEME

REF: A. OECD 29681; B. USNATO 6156; C. USNATO 6021; D. STATE 269406

SUMMARY: CCG REPS RESIDENT IN BRUSSELS BELIEVE CANADIAN POSITION ON VALIDATION ISSUE IS STILL VIABLE ALTERNATIVE TO VE CONSIDERED BY CCG MEETING PARIS NOVEMBER 20-21. END SUMMARY.

1. AS REPORTED REF B, PARA 2, SYG LUNS AT LUNCHEON NOV 12 SAID THAT OECD PERMREPS HAD AGREED TO SUPPORT THE SYG POSITION ON VALIDATION. IN CONTRAST, CCG CHAIRMAN MASSBERG, AFTER REVIEWING NOV 7 DECISION OF OECD COUNCIL, BELIEVES THAT APPLICATION OF ARTICLE 27 "WITHOUT MODIFICATION" STILL ALLOWS "INTERPRETATION"; THAT IS, ALLOWS ACCEPTANCE OF EITHER THE SYG/FRENCH POSITION OR THE CANADIAN POSITION ON DETERMINING COST OF VALIDATION.

2. DUNCAN (CAN) SAID HE WOULD DROP CANADIAN PROPOSAL IF IT DID NOT HAVE SUPPORT. HE THOUGHT PERHAPS CCG SHOULD NOW DRAFT PENSION REGULATIONS ON THE BASIS OF THE SYG/FRENCH POSITION UNCLASSIFIED

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AND INCLUDE OBSERVATIONS ON FINANCIAL IMPLICATIONS AND INEQUITIES IN EMPLOYEE TREATMENT THAT WOULD RESULT. HE FELT DECISION AS TO WHETHER TO GIVE CANADIAN PROPOSAL FURTHER DECISION. BOTH MASSBERG AND DUNCAN DID NOT THINK IT WOULD

BE WISE OR PRODUCTIVE TO SET UP A LEGAL WORKING GROUP OF THE CCG TO GIVE OPINION ON WHETHER CANADIAN POSITION CAN BE CONSIDERED LEGAL INTERPRETATION OF ARTICLE 27.

3. WEINLICH (GER), ATTENDING THIS INFORMAL GROUP FOR FIRST TIME, HAS CLEAR INSTRUCTIONS NOT REPEAT NOT TO FOLLOW THE FRENCH VIEW, AND BELIEVES OTHER INTERPRETATIONS OF ARTICLE 27 ARE POSSIBLE, I.E., THE CANADIAN POSITION OR EVEN OTHER INTERPRETATIONS, BUT HE WILL REQUIRE FURTHER INFORMATION ON FINANCIAL IMPLICATIONS. DRAPER SAID THAT UK INSTRUCTIONS ARE TO TAKE A BACKSEAT ON THIS, BUT THE CANADIAN POSITION CAN BE CONSIDERED AN INTERPRETATION AND REQUIRES MORE EXAMINATION. BELGIAN AND DUTCH REPS ALSO HELD POSITION CANADIAN PROPOSAL IS INTERPRETATION NOT MODIFICATION, ALTHOUGH DUTCH HAD AGREED TO JOIN SYG/FRENCH VIE IF IT WOULD MEAN UNANIMITY.

4. MASSBERG NOW THINKS IT BEST TO HAVE CCG PREPARE A REPORT TO COUNCILS OFFERING A CLEAR CHOICE BETWEEN TWO ALTERNATIVES ONLY - THE SYG/FRENCH PROPOSAL AND THE CANADIAN PROPOSAL. REPORT WOULD ALSO INCLUDE MORE COMPLETE ANALYSIS OF FINANCIAL IMPLICATIONS AND DETAILS ON IMPLEMENTING REGULATIONS FOR EACH ALTERNATIVE, AND MASSBERG WILL PROBABLY SUGGEST THIS IN CCG MEETING NOV 20-21.

5. ANY DEPARTMENT COMMENTS SHOULD BE SENT US MISSION OECD PARIS BY NOV 20 IF POSSIBLE. BRUCE

UNCLASSIFIED

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